

Municipal Clerk
Atlanta, Georgia

01-0-0635

Z-01-45

SUBSTITUTE ORDINANCE BY:
ZONING COMMITTEE

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA BY CREATING A NEW CHAPTER ENTITLED CHAPTER 18Q. SPI 17 PIEDMONT AVENUE DISTRICT REGULATIONS AND TO AMEND THE OFFICIAL ZONING MAP BY SUPPLANTING EXISTING ZONING DISTRICTS RG3, RG4, RG4-C, RG5, RG5-C, C1, C2, C4, PDMU, PDH, PDH5 AND SPI 10 WITH SAID SPI 17 DISTRICT AND TO AMEND CHAPTER 28A.0010 BY ADDING A NEW SUBSECTION (38) SPI 17 PIEDMONT AVENUE DISTRICT, AND FOR OTHER PURPOSES.

WHEREAS, new residential and commercial uses should achieve architectural, site and street design consistent with the existing historic built environment; and

WHEREAS, new single-family residential structures should be encouraged and should be compatible with the character of the Midtown residential neighborhood; and

WHEREAS, Piedmont Avenue should serve as an appropriate transition between higher densities in the Midtown commercial district to the west and lower densities in the Midtown residential neighborhood to the east; and

WHEREAS, the encroachment of incompatible commercial uses and parking into residential neighborhoods should be prevented; and

WHEREAS, the visual aesthetics of City streets should be improved; and

WHEREAS, a diversified urban environment where people can live, work, meet and recreate should be created; and

WHEREAS, sufficient, safe and accessible open space for active and passive enjoyment by residents and workers should be provided; and

WHEREAS, safe and convenient pedestrian and bicycle circulation should be provided; and

WHEREAS, the City Sign Ordinance should be amended to include regulations for the SPI 17 Piedmont Avenue District.

Attachment A
Z-01-45
CHAPTER 16-18Q
SPI-17 PIEDMONT AVENUE
SPECIAL PUBLIC INTEREST DISTRICT REGULATIONS

Section 16-18Q.001. Scope of Provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part when referred to in this chapter, are the regulations for the SPI-17 Piedmont Avenue Special Public Interest District. These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in Section 16-18Q.003, except that all existing categories of historic protection designated pursuant to Chapter 20 of Part 16 shall continue in full force and effect and said existing historic protection regulations shall be overlaid upon, and shall be imposed in addition to, the regulations set forth in this Chapter. Whenever the following regulations are at variance with said existing historic protection regulations, the historic protection regulations shall apply. Whenever the following regulations conflict with provisions of Part 16 other than historic protection regulations, the more stringent regulation shall apply.

The regulations set forth in Sections 16-18Q.001 through and including Section 16-18Q.024 shall apply to all properties located within the SPI-17 Piedmont Avenue Special Public Interest District, including all subareas within the District. The remaining regulations set forth in Section 16-18Q.025 through Section 16-18Q.028 shall apply only to the subareas identified therein.

Section 16-18Q.002. Statement of Intent.

The intent of the council in establishing SPI-17 Piedmont Avenue Special Public Interest District as a zoning district is as follows:

1. To provide through the administration of specific standards and criteria that new housing achieve architectural, site and street design consistent with the existing historic built environment.
2. Improve the aesthetics of the built environment;
3. Facilitate safe, pleasant, and convenient pedestrian circulation and minimize conflict between pedestrians and vehicles;
4. To encourage owner occupancy and retention of single-family residential structures compatible with the character of the Midtown residential neighborhood while permitting multi-family housing in appropriate locations adjacent to Piedmont Avenue;
5. To develop an appropriate transition between higher densities in Midtown to the west of Piedmont Avenue and lower densities in Midtown to the east of Piedmont Avenue, in such a way as to reinforce visual continuities, urban design linkages, appropriate transportation corridors, and neighborhood street patterns;
6. To provide appropriate and distinct entrances into the Midtown neighborhood;
7. To require general compatibility between and among new structures and historic buildings within the Piedmont Avenue Special Public Interest District;

Attachment A

Z-01-45

shall be used only as specified in each Subarea (Sections 16-18Q.025 through 16-18Q.028).

1. Single-family, two-family, and multi-family dwellings.
2. Structures and uses required for operation of MARTA, public transit or public utility, but does not include uses involving storage, train yards, warehousing, switching, or maintenance shops as the primary purpose.

Any principal use and structure not specifically listed above is prohibited in this district, unless otherwise specifically authorized in the subarea regulations.

No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district and its relation to adjoining districts.

Pursuant to Section 16-28.016 adult businesses are not permitted uses in the district.

Section 16-18Q.006. Permitted Accessory Uses and Structures.

Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically include clubhouses, pools, and other recreation amenities, and parking to serve authorized residential and non-residential uses within the district subject to the restrictions contained in Section 16-18Q.021 and elsewhere in this Chapter.

Section 16-18Q.007. Special Permits.

The following uses are permissible only by additional special permits of the type indicated subject to limitations and requirements set forth in this Chapter 18Q or elsewhere in this part, and subject to the applicable procedures and requirements set forth in Section 16-25.001, et seq. No variances otherwise permitted by Section 16-18Q.007 shall be authorized or issued for any use set forth below requiring a special permit.

1. Special use permits: Churches, synagogues temples and other religious worship facilities where lot area is greater than one (1) acre.
2. Special administrative permits:
 - a. Childcare centers, kindergartens and special schools.
 - b. Nursing homes and convalescent centers.
 - c. Outdoor displays of merchandise or sales areas within the supplemental zone.
3. Special exceptions:
 - a. Accessory outdoor amplified music.
 - b. Churches, synagogues temples and other religious worship facilities where lot area is less than one (1) acre.

**Large
document
attached**